

GREEN KAMINER MIN & ROCKMORE LLP

Manhattan
420 Lexington Ave., Ste 2821
New York, New York 10170
T.212.681.6400

Long Island
600 Old Country Rd., Ste. 410
Garden City, New York 11530
T. 516.858.2115

March 27, 2025

VIA ECF FILING

Honorable Ramon E. Reyes, Jr.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Reid v. Remekie
Case No. 1:25-cv-00904-RER-JRC

Dear Judge Reyes:

Our firm represents Petitioner Audley Reid in the above-referenced Hague Convention proceeding. We write in response to this Court's order, dated March 27, 2025, and to provide some clarity on why we are seeking a pre-motion conference.

On March 14, 2025, counsel for Petitioner submitted a letter (ECF No. 14) concerning the Respondent's failure to file an Answer by the deadline set in this Court's original trial scheduling order. On March 25, 2025, the parties appeared telephonically for a Status Conference before the Honorable Magistrate Judge James R. Cho. During the Status Conference, Judge Cho granted the Respondent's request for leave *nunc pro tunc* to file her Answer on March 13, 2025. *See* Minute Entry, dated March 25, 2025.

During this conference, additional concerns aside from the lateness of the filing were addressed, including that several of Respondent's defenses are not cognizable under the Hague Convention. These issues were similarly alluded to in Petitioner's counsel's first letter, dated March 14, 2025. It was Petitioner's counsel's understanding from the Status Conference with Honorable Judge Cho that any remaining issues related to the Respondent's Answer, namely that Respondent's defenses are not cognizable under the Hague Convention, should be addressed by Your Honor.

Given our understanding, and the filing of the prior letter, it was unclear whether or not our request for a pre-motion conference was still outstanding or whether a new one would have to be made to address the new issues regarding their now timely filed Answer. Petitioner's counsel's intention was to file a Motion to Strike (certain defenses from Respondent's Answer, rather than striking the entire Answer) and Motion *in Limine* as an appropriate remedy, rather than a motion for summary judgment. That was the intention of this office's call earlier today to seek clarification. It is not Petitioner's intention to readdress the lateness of the Respondent's Answer, which was already addressed by Magistrate Judge Cho, but rather to address the issues

we understood were left unresolved. To the extent the Court believes all issues were resolved by Magistrate Judge Cho, we apologize for any confusion. Otherwise, we respectfully request a pre-motion conference to address the issues referenced herein, as required by Rule IV.A.1. of the Court's Individual Rules.

We apologize for the misunderstanding and the inconvenience caused to the Court.

Truly yours,

/s/Richard Min

Richard Min
Green Kaminer Min & Rockmore, LLP
420 Lexington Avenue, Suite 2821
New York, NY 10170

Attorneys for Petitioner
Audley Reid